



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT RECEIVED

MAY 28 2004

Application No.: 09/937,362  
Confirmation No.: 7900  
Filed: December 17, 2001  
Inventor(s):

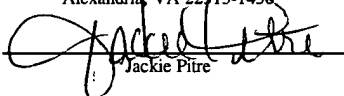
Philippe Magnier

Title: DEVICE FOR  
PREVENTION AGAINST  
EXPLOSION OF  
ELECTRICAL  
TRANSFORMERS

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

Examiner: Luk, L. W.  
Art Unit: 2838  
Atty. Dkt. No: 5310-03400

OFFICE OF PETITIONS

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8	
DATE OF DEPOSIT:	5/18/04
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to: Commissioner for Patents Alexandria, VA 22313-1450	
 Jackie Pitre	

**PAYMENT OF ISSUE FEE**

**MAIL STOP: ISSUE FEE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

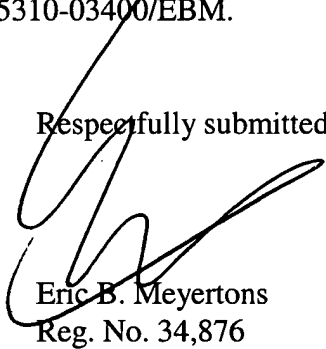
Please find enclosed:

- 1) Issue Fee Transmittal Form PTOL-85B (1 page);
- 2) Submission of Formal Drawings (1 page);
- 3) Formal Drawings (Figures 1-6 on 5 sheets);
- 4) Request for Reconsideration of Patent Term Adjustment; and, Application of Patent Term Adjustment (4 pages);
- 5) Comments on Statement of Reasons for Allowance (2 pages);
- 6) A fee authorization in the amount of \$1,545.00 (2 pages); and
- 7) A return postcard evidencing receipt of these materials.

Phillipe Magnier  
09/937,362

If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5310-03400/EBM.

Respectfully submitted,



Eric B. Meyertons  
Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
P.O. BOX 398  
AUSTIN, TX 78767-0398  
(512) 853-8800 (voice)  
(512) 853-8801 (facsimile)

Date: 5/18/04



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Application No.: 09/937,362  
Filed: December 17, 2001  
Confirmation No.: 7900  
Inventor(s):  
Philippe Magnier

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

Examiner: Luk, L.W. MAY 28 2004  
Group/Art Unit: 2838  
Atty. Dkt. No: 5310-03400

OFFICE OF PETITIONS

Title: DEVICE FOR  
PREVENTION AGAINST  
EXPLOSION OF  
ELECTRICAL  
TRANSFORMERS

CERTIFICATE OF MAILING  
UNDER 37 C.F.R. §1.8  
DATE OF DEPOSIT: 5/18/04  
I hereby certify that this correspondence is being deposited with  
the United States Postal Service with sufficient postage as first  
class mail on the date indicated above and is addressed to:  
Commissioner for Patents  
Alexandria, VA 22313  
*Jackie L. Pitre*  
Jackie L. Pitre

REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT; AND,  
APPLICATION FOR PATENT TERM ADJUSTMENT

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicant hereby requests reconsideration of the patent term adjustment for the above-referenced application.

On February 18, 2004 the Patent Office mailed a Notice of Allowance for the above-referenced application to Applicant's undersigned representative. The Notice of Allowance indicated that the patent term adjustment for the above-referenced application is 0 days, if the issue fee is paid on the date three months after the mailing date of the notice of allowance and the patent issues on the Tuesday before the date that is 28 weeks after the mailing date of the Notice of Allowance. Applicant respectfully disagrees with the patent term adjustment indicated in the

notice of allowance. Applicant believes that the proper patent term adjustment should be 165 days for the reasons set forth in detail below.

Applicant filed the above-referenced application on September 21, 2001. Applicant satisfied all of the requirements of U.S.C. § 371 on December 17, 2001. The application filing date is, therefore, December 17, 2001. On August 4, 2003, an Office Action for the above-referenced application was mailed to Applicant's representative. This was the first notification under 35 U.S.C. § 132 or 35 U.S.C. § 151 received by Applicant for the above-referenced application. The mailing date of the Office Action is more than 14 months after the filing date of the application. Under the provisions of 37 C.F.R. § 1.702(a)(1) Applicant believes that the above-referenced application is entitled to a patent term adjustment.

The period of adjustment for extension of the patent term for the above-referenced application can be calculated under the provisions of 37 C.F.R. § 1.703(a)(1). The application has a filing date of December 17, 2001. The day after the date that is fourteen months after the date on which the application was filed is February 18, 2003. The first Office Action was mailed on August 4, 2003. The patent term extension is, therefore, the number of days from February 18, 2003 until August 4, 2003, or 168 days.

A period of adjustment for reduction in patent term for the above-referenced application can be calculated under the provisions of 37 C.F.R. § 1.704(b). The first Office Action was mailed on August 4, 2003. A response to the Office Action was due 3 months from the mailing date of the Office Action, or November 4, 2003. The day after the date that is three months after the date on which the Office Action was mailed is November 5, 2003. Applicant filed a response with the Patent Office on November 4, 2003, which was received by the Patent Office on November 7, 2003. The reduction of the period of adjustment of the patent term for the response to the first Office Action is therefore 3 days.

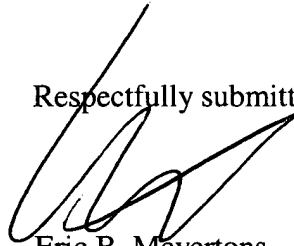
The total patent term adjustment is the difference of the patent term extension, 168 days, and the patent term reduction, 3 days. The total patent term adjustment should therefore be 165 days.

No terminal disclaimer has been filed for the above-referenced application.

09/937,362  
Philippe Magnier

Applicant has included a fee authorization that includes an authorization for the payment of the fees for filing an application for patent term extension. If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5310-03400/EBM.

Respectfully submitted,



Eric B. Meyertons  
Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
P.O. BOX 398  
AUSTIN, TX 78767-0398  
(512) 853-8800 (voice)  
(512) 853-8801 (facsimile)

Date: 5/18/04